



I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: November 23, 2005 Signature: William K. Merkel

William K. Merkel

Docket No.: 27373/36638A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ralph Weichselbaum et al.

Application No.: 09/964,042

Art Unit: 1635

Filed: September 26, 2001

Examiner: J. E. Angell

For: TREATMENT OF TUMORS WITH
GENETICALLY ENGINEERED HERPES
VIRUS

RESPONSE TO OFFICE COMMUNICATION OF AUGUST 24, 2005

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is filed in response to the Office communication dated August 24, 2005. This response is timely filed prior to the three-month deadline of November 24, 2005. A Request for Continued Examination is being filed herewith.

Amendments to the Specification: None.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.